

AO 133 (Rev. 9/89) Bill of Costs

UNITED STATES DISTRICT COURT

Southern

District of Ohio, Western Division

Mary E. Lentz

BILL OF COSTS

V.

Cincinnati Insurance Company, et
al.

Case Number: 01-599

Judgment having been entered in the above entitled action on 6/23/05
Date against Mary E. Lentz,

the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$
Fees for service of summons and subpoena
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case (see attached itemization)	\$ 9,300.70
Fees and disbursements for printing
Fees for witnesses (itemize on reverse side)	\$ 58.20
Fees for exemplification and copies of papers necessarily obtained for use in the case
Docket fees under 28 U.S.C. 1923
Costs as shown on Mandate of Court of Appeals
Compensation of court-appointed experts
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828
Other costs (please itemize) (see attached itemization)	\$ 3,856.33
TOTAL	\$ 13,215.23

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed to my attorney and was prepared to: Michael K. Sutherlin and Lynn D. Pundzak filed electronically with electronic service

Signature of Attorney: s/ Jack B. Harrison

Name of Attorney: Jack B. Harrison

For: Cincinnati Insurance Company

Name of Claiming Party

Date: 7/ /05

Costs are taxed in the amount of _____ and included in the judgment.

Clerk of Court

By: _____
Deputy Clerk

Date

[illegible]

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

“Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day’s notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court.”

Rule 6(e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

Rule 58 (In Part)

“Entry of the judgment shall not be delayed for the taxing of costs.”

FROST BROWN TODD LLC		110909	111000	10/09/02	CHECK NO. 257453
INVOICE NO.	DATE	GL NUMBER	DESCRIPTION	AMOUNT	
480059 100802	10/08/02	11111000000000000000	PAULA RUPPERT	58.20	
				TOTAL	58.20

Operating Account
U.S. Bank
Cincinnati, OH 45202

56-503
422

FROST BROWN TODD LLC
ATTORNEYS & COUNSELLORS AT LAW
2200 PNC CENTER
CINCINNATI, OHIO 45202

CHECK NO. 257453

CHECK DATE 10/09/02

Pay FIFTY-EIGHT AND 20/100 DOLLARS

VOID AFTER 90 DAYS

\$58.20

TO THE
ORDER OF

Paula Ruppert
1603 Eva Street
Dayton, OH 45410

THIS CHECK VOID IF WATERMARK IS
NOT VISIBLE ON BACK OF CHECK

B. S. Swanson

⑈ 257453⑈⑈042205038⑈ 000199731613⑈

TRANSCRIPT COSTS

Fees and disbursements for deposition, pretrial and trial transcripts actually and necessarily obtained for use at trial by Defendants in this matter:

Deposition Transcript Mary E. Lentz	\$ 1,558.08
Deposition Transcript Don Desseyn	\$ 176.00
Deposition Transcript Shelly Bascom	\$ 455.70
Deposition Transcripts Mark Huller, David Balzano, Al Matheny	\$ 1,666.55

TOTAL	\$ 3,856.33
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Final Pretrial Transcript	\$ 161.70
Trial Transcript	\$ 2,287.00
Trial Transcript	\$ 5,831.20
Trial Transcript	\$ 822.80
Trial Transcript	\$ 198.00

TOTAL	\$ 9,300.70
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GRAND TOTAL	<u>\$13,157.03</u>
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Ace Reporting Services
30 Garfield Place
Suite 620
Cincinnati, OH 45202-4364
(513) 241-3200 Fax (513) 241-7958

INVOICE

INVOICE NO.	DATE	JOB NUMBER
136659	10/15/2002	01-65706
JOB DATE	REPORTER(S)	CASE NUMBER
09/30/2002	WALTPA	01CV599
CASE CAPTION		
Mary Lentz vs. Cincinnati Ins Co		
TERMS		
Due upon receipt		

Deborah S. Adams
Frost Brown Todd, LLC
2200 PNC Center
201 East 5th Street
Cincinnati, OH 45202

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Mary E. Lentz

CONCORDANCE INDEXING
COURIER

45.00 Pages

1,507.08

45.00

6.00

(TAXABLE \$1,507.08)

TOTAL DUE >>>> 1,558.08

Please disregard invoice# 136579, 10 day expedite was omitted. Thank you.

TAX ID NO. : 31-0725254

(513) 651-6800 Fax 651-6981

Please detach bottom portion and return with payment.

Deborah S. Adams
Frost Brown Todd, LLC
2200 PNC Center
201 East 5th Street
Cincinnati, OH 45202

Job No. : 01-65706
Case No. : 01CV599
Mary Lentz vs. Cincinnati Ins Co
Invoice No.: 136659
Date : 10/15/2002
TOTAL DUE : 1,558.08

Remit To: Ace Reporting Services
30 Garfield Place
Suite 620
Cincinnati, OH 45202-4364

PAYMENT WITH CREDIT CARD

Card Holder's Name: _____
VISA/MC #: _____
Exp. Date: _____ Phone #: _____
Billing Address: _____
Amount to Charge: _____ Zip: _____
Cardholder's Signature: _____

Archive Reporting Service

2336 North Second Street
P.O. Box 5559
Harrisburg, PA 17110
(717) 234-5922

Invoice

Number: **18244**Date: **December 03, 2002****Bill To:**

Jack B. Harrison
Frost, Brown, Todd LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45201-5715

Ship To:

Federal ID Number	Date of Service	Reporter
23-2876180	10/31/02	SR

Description	Pages / Hours	Rate	Amount
Re: Mary Lentz v Cincinnati Insurance Co. et al.			
Deposition of Don Desseyn			
Transcript - Condensed	69.00	1.75	120.75
ASCII Disk - 12/3/02	1.00	20.00	20.00
Shipping - ground	1.00	9.00	9.00
Transcript - Full Size Copy (for Donald Desseyn)	69.00	0.25	17.25
Shipping - ground (for Donald Desseyn)	1.00	9.00	9.00
Total			\$176.00

Please remit one copy with payment. 1.5% interest will be added to invoices after 30 days. For Mastercard and Visa payments, please call the office. Archive Reporting Service is a qualified small business concern as defined in 4 PA Code Section 2.32.

Mike Mobley Reporting

334 South Main Street
Dayton, OH 45402

Phone: (937) 222-2259 Fax: (937) 222-9747

Job #: 030220BWD
Document 163-2 Filed 07/05/2005
Job Date: 02/20/2003

Order Date: 02/20/2003

DB Ref. #:

Date of Loss: / /

Your File #:

Your Client: Cincinnati Insurance Co.

Invoice

Invoice #: 24663

Inv. Date: 02/26/2003

Balance: \$455.70

Bill To:

Deborah S. Adams, Esq
Frost Brown Todd LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, OH 45202

Action: Lentz, Mary E.

VS

Cincinnati Insurance Co., et al.

Action #: 01-CV-599

Rep: BWD

Cert: CRR

Item	Proceeding/Witness	Description	Amount
1	Nora Michelle (Shelly) Bascom	Transcript Copy (Condensed Only)	\$424.70
2		ASCII Diskette	\$25.00
3		Shipping & Handling	\$6.00

Comments:

SCHEDULE DEPOSITIONS ONLINE AT WWW.MOBLEYREPORTING.COM

Sub Total \$455.70

Shipping \$0.00

Tax N/A

Total Invoice \$455.70

Payment \$0.00

Balance Due \$455.70

Federal Tax I.D.: 31-0949029

Terms: Net 30 Days @ 1.5%

Please KEEP THIS PART for YOUR RECORDS.

Please FOLD then TEAR HERE and RETURN THIS PART with PAYMENT.

Bill To:

Deborah S. Adams, Esq
Frost Brown Todd LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, OH 45202

Deliver To:

Deborah S. Adams, Esq
Frost Brown Todd LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, OH 45202

Invoice

Invoice #: 24663

Inv. Date: 02/26/2003

Balance: \$455.70

Job #: 030220BWD

Job Date: 02/20/2003

DB Ref. #:

Date of Loss: / /

Your File #:

Phone: (937) 222-2259

Fax: (937) 222-9747

Mike Mobley Reporting
334 South Main Street
Dayton, OH 45402

*Please
pay*

FEDERAL I.D. NO. 31-1094258

GIGLIO REPORTING SERVICES

**3 Cypress Garden
Cincinnati, Ohio 45220
(513) 861-2200**

TO: Jack B. Harrison, Esq.
Frost Brown Todd, LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202-4182

INVOICE NO. 2002-271

DATE: December 13, 2002

RE: Mary Lentz vs. Cincinnati Insurance Co.
Case No. IP01-0662-c-T/G

To Deposition of Mark Huller taken October 28, 2002, David Balzano
taken October 29, 2002 and Allen Matheny taken October 30, 2002

To copy of transcript of Mark Huller	\$ 668.00
To word index of Mark Huller	134.00
To copy of transcript of David Balzano	392.00
To word index of David Balzano	64.00
To copy of transcript of Allen Matheny	306.00
To word index of Allen Matheny	54.00
To 1 ASCII disk	10.00
To one set exhibits for Huller, Balzano and Matheny	33.25
To City Dash fee	<u>5.30</u>

Total Due: \$1,666.55

Note: Your transcripts and exhibits City Dashed to you on December 3, 2002.

Thank you.

Net Due: Upon Receipt

PLEASE RETURN INVOICE WITH PAYMENT

I N V O I C E

Julie A. Wolfer Transcripts
Room 801, Potter Stewart U.S. Courthouse
100 E. Fifth Street
Cincinnati, Ohio 45202
(513) 564-7606
Taxpayer I.D. Number 31-1197897

TO: Deborah S. Adams, Esq.
Frost Brown Todd
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202

June 15, 2005

INVOICE NO. 05028

RE: Mary E. Lentz vs. Cincinnati Insurance Company, et al.
Case No. 1:01-CV-599

Transcript ordered by: Deborah S. Adams, Esq.

Proceedings before the Honorable Michael H. Watson, Judge,
in the United States District Court for the Southern
District of Ohio, Western Division.

Transcript of:

Final Pretrial Conference held May 26, 2005.

ASCII disk

49 pages at \$3.30 per page \$161.70
(original)

DRAPER & OESTREICHER
3609 W. EIGHTH STREET
CINCINNATI, OHIO 45205

INVOICE NO. 4304
June 9, 2005

BILL TO:
Deborah S. Adams, Esq.
Jack B. Harrison
Frost, Todd & Brown
201 E. Fifth Street, Ste. 2200
Cincinnati, Ohio 45202

Fed. Tax ID No.: 31-0993223, Fax No. 513-244-1024

Rptr: sje

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
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RE: Civil No. 09-96

Mary E. Lentz vs. Cincinnati
Insurance Co., et al.

6/7 and 6/8/05 – Trial Proceedings
before Judge Michael H. Watson

345	Pages, original transcript (filed), copy provided, same day @6.60 p.p. (Rates set by Judicial Conference)		\$2,277.00
	delivery @		\$ 10.00

total \$2,287.00

files emailed 6/7 and 6/8/05 in pdf format.

Thank you.

DRAPER & OESTREICHER
3609 W. EIGHTH STREET
CINCINNATI, OHIO 45205

INVOICE NO. 4319
June 20, 2005

BILL TO:
Deborah S. Adams, Esq.
Jack B. Harrison
Frost, Todd & Brown
201 E. Fifth Street, Ste. 2200
Cincinnati, Ohio 45202

Fed. Tax ID No.: 31-0993223, Fax No. 513-244-1024

Rptr: sje/lp

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
	RE: Civil No. 09-96 Mary E. Lentz vs. Cincinnati Insurance Co., et al. 6/13 through 6/17/05 – Trial Proceedings before Judge Michael H. Watson		
882	Pages, original transcript (filed), copy provided, same day @6.60 p.p. (Rates set by Judicial Conference)		\$5,821.20
	delivery @		\$ 10.00
		total	\$5,831.20

files emailed 6/13/04 through 6/17/05 in pdf format.

Thank you.

I N V O I C E

Julie A. Wolfer Transcripts
Room 801, Potter Stewart U.S. Courthouse
100 E. Fifth Street
Cincinnati, Ohio 45202
(513) 564-7606
Taxpayer I.D. Number 31-1197897

TO: Jack B. Harrison, Esq.
Frost Brown Todd
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202

June 27, 2005

INVOICE NO. 05029

RE: Mary E. Lentz vs. Cincinnati Insurance Company, et al.
Case No. 1:01-CV-599

Transcript ordered by: Jack B. Harrison, Esq.

Proceedings before the Honorable Michael H. Watson, Judge,
in the United States District Court for the Southern
District of Ohio, Western Division, and Jury.

Transcript of:

Trial Proceedings held on June 22 and 23, 2005.

187 pages at \$4.40 per page \$822.80
(original, expedited)

I N V O I C E

Betty J. Schwab
Official Court Reporter
Room 227
Potter Stewart U.S. Courthouse
100 East 5th Street
Cincinnati, Ohio 45202

(513) 564-7636

June 27, 2005

TO: Jack Harrison, Esq.
Frost Brown Todd LLC
2200 PNC Center
Cincinnati, OH 45202

RE: Lentz v. Cincinnati Insurance

CASE No. 1:01-cv-599
Transcript of first part of closing arguments
Heard on 6/22/05
Before the Honorable Michael H. Watson, Judge
45 original pages expedited at \$4.40

BALANCE DUE: \$198.00

Thank you,

Betty J. Schwab
Betty J. Schwab

THIS TRANSCRIPT HAS BEEN FILED WITH THE COURT